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INJURIOUS SUBSTANCES IN FOODSTUFFS.

A MANUFACTURER HELD LEGALLY LIABLE TO A CONSUMER FOR INJURY CAUSED BY POISONOUS SUBSTANCE IN A BEVERAGE.

The Supreme Court of the State of Tennessee, in *Boyd v. Coca Cola Bottling Works* (p. 3095 of this issue of the Public Health Reports), decided that the defendant was liable to the consumer for injury caused by a poisonous substance contained in a beverage sold by a retail dealer in a package sealed by the defendant.

Through the negligence of employees of the bottling works a cigar stub was left in a bottle which was filled with a beverage and sealed. The wife of the purchaser was made ill by drinking part of the contents of the bottle. Suit for damages was brought, and the principal defense was that the bottler was not liable because the purchase was made from a dealer and not directly from the manufacturer. But the court held that "when the manufacturer of this beverage undertook to place it on the market in sealed bottles, intending it to be purchased and taken into the human stomach, under such circumstances that neither the dealer nor the consumer had opportunity for knowledge of its contents, he likewise assumed the duty of exercising care to see that there was nothing unwholesome or injurious contained in said bottles. For a negligent breach of this duty the manufacturer became liable to the person damaged thereby."

COSMETICS AS DRUGS.

A REVIEW OF SOME OF THE REPORTED HARMFUL EFFECTS OF THE ORDINARY CONSTITUENTS OF WIDELY USED COSMETICS.

By MARTIN I. WILBERT, Technical Assistant, Division of Pharmacology, Hygienic Laboratory, United States Public Health Service.

Of the many and varied abuses of drug products there is none in which fraud, deception, and a wanton disregard for human health and even life are so clearly evidenced as in connection with the manufacture, sale, and use of so-called "cosmetics."

While no one can deny that emollient, irritant, and even caustic drugs, applied as cosmetics, have a legitimate and an important field